

**IN THE DISTRICT COURT OF THE UNITED STATES FOR THE  
MIDDLE DISTRICT OF ALABAMA  
EASTERN DIVISION**

DOROTHY BENTLEY, as Administratrix )  
of the Estate of JERRY BUCKNER, )  
 )  
Plaintiff, )

v. )

JIMMY ABBOTT, individually, )  
BLAKE JENNINGS, individually, )  
DR. SHUISTER, individually, )  
CATHY DUBOSE, individually, and )  
TALLAPOOSA COUNTY JAIL, )  
 )  
Defendants. )

CASE NO.: 3:07-cv-00873-MHT-WC

**SECOND MOTION FOR ENLARGEMENT OF TIME**

COMES NOW, the Plaintiff in the above-styled matter, and respectfully requests that this Honorable Court allow her additional time in which to file a response to the Motion to Dismiss filed by Defendants Abbott, Jennings, and Dubose. As grounds therefor, the Plaintiff states as follows:

1. Defendants Abbott, Jennings, and Dubose filed a Motion to Dismiss on November 19, 2007. (*See Court Document #7*). In addition, Defendant Tallapoosa County Jail filed a Motion to Dismiss on November 19, 2007. (*See Court Document #8*).
2. Plaintiff filed a Motion for Enlargement of Time. This Court granted Plaintiff's Motion for Enlargement of Time allowing Plaintiff until January 4, 2008 to respond to Defendants' Motions to Dismiss. (*See Court Document #21*).
3. On December 14, 2007, Plaintiff filed her First Amended Complaint in response to Defendant Tallapoosa County Jail's Motion to Dismiss thereby releasing the Jail as a party defendant. (*See Court Document # 22*).

4. However, in the midst of the holidays, Plaintiff's counsel failed to realize there were two (2) Motions to Dismiss and inadvertently failed to respond to the Motion to Dismiss filed by Defendants Abbott, Jennings, and Dubose. (*See* Court Document #7).
5. Defendants Abbott, Jennings, and Dubose will not be prejudiced in anyway if the Plaintiff is allowed additional time to file a response to their Motion to Dismiss.
6. Counsel for Defendants Abbott Jennings, and Dubose has no objection and joins Plaintiff in this motion.

WHEREFORE, THE PREMISES CONSIDERED, Plaintiff respectfully requests that this Honorable Court allow her until the close of business on Monday, January 28, 2008 within which to file a response to the Motion to Dismiss of Defendants Abbott, Jennings, and Dubose.

Respectfully submitted this the 24th day of January, 2008.

/s/ Gary L. Willford, Jr.  
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WIL198

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ASB-6972-E63K

#### **CERTIFICATE OF SERVICE**

I hereby certify that I have electronically filed the foregoing with the Clerk of the Court using the CM/ECF or by placing a copy of the same in the United States mail, postage prepaid and properly addressed, on this 28th day of January, 2008.

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s/ANDY NELMS

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